

FILED IN OPEN COURT
ON 6/24/2014
Julie A. Richards, Clerk
US District Court
Eastern District of NC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:13-CR-57-D

UNITED STATES OF AMERICA

v.

THOMAS L. KIMMEL,

Defendant.

VERDICT FORM

COUNT ONE

On count one of the indictment, which alleges that beginning in or around February 2006, and continuing through in or around December 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, knowingly combined, conspired, confederated, and agreed with others to commit the offenses of mail fraud and wire fraud against the United States, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

 Not Guilty

 X Guilty

If you find that the defendant, THOMAS L. KIMMEL, conspired to commit an offense or offenses against the United States, mark the offense you unanimously find the defendant conspired to commit. [Mark all that apply.]

 X Mail Fraud, in violation of 18 U.S.C. § 1341

 X Wire Fraud, in violation of 18 U.S.C. § 1343

COUNT ELEVEN

On count eleven of the indictment, which alleges that on or about February 1, 2010, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT THIRTEEN

On count thirteen of the indictment, which alleges that on or about February 25, 2010, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT SEVENTEEN

On count seventeen of the indictment, which alleges that on or about October 17, 2010, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT EIGHTEEN

On count eighteen of the indictment, which alleges that on or about December 13, 2010, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

 Not Guilty

 X Guilty

COUNT NINETEEN

On count nineteen of the indictment, which alleges that on or about December 31, 2010, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

 Not Guilty

 X Guilty

COUNT TWENTY

On count twenty of the indictment, which alleges that on or about January 11, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

 Not Guilty

 X Guilty

COUNT TWENTY-THREE

On count twenty-three of the indictment, which alleges that on or about February 7, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

____ Not Guilty

☒ Guilty

COUNT TWENTY-FOUR

On count twenty-four of the indictment, which alleges that on or about March 1, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

____ Not Guilty

☒ Guilty

COUNT TWENTY-SIX

On count twenty-six of the indictment, which alleges that on or about August 2, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

____ Not Guilty

☒ Guilty

COUNT TWENTY-SEVEN

On count twenty-seven of the indictment, which alleges that on or about August 15, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT TWENTY-EIGHT

On count twenty-eight of the indictment, which alleges that on or about August 18, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT TWENTY-NINE

On count twenty-nine of the indictment, which alleges that on or about September 1, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT THIRTY

On count thirty of the indictment, which alleges that on or about September 16, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT THIRTY-THREE

On count thirty-three of the indictment, which alleges that on or about October 1, 2011, in the Eastern District of North Carolina, the defendant, Thomas L. Kimmel, aiding and abetting others, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, caused a matter to be delivered by mail or private and commercial interstate carrier according to the direction thereon, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

☐ Not Guilty

☒ Guilty

COUNT FORTY-FOUR

On count forty-four of the indictment, which alleges that on or about November 16, 2010, in the Eastern District of North Carolina, the defendant, THOMAS L. KIMMEL, knowingly engaged and attempted to engage in a monetary transaction through a financial institution, affecting interstate commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from mail fraud and wire fraud, we, the Jury, unanimously find the defendant, THOMAS L. KIMMEL:

 Not Guilty

 X Guilty

So say we all, this 26 day of June 2014.

Signature of Foreperson

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.